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A limited liability partnership formed in the State of Delaware

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17 Attorneys for Defendants  
Merrill Lynch, Pierce, Fenner & Smith, Inc.;  
18 Bank of America Corporation

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

21 ABDULLAH BYANOONI individually and on  
22 behalf of a class and subclass of similarly situated  
individuals,

23 Plaintiff,

24 vs.

25 MERRILL LYNCH, PIERCE, FENNER &  
26 SMITH; BANK OF AMERICA  
CORPORATION; and DOES 1 through 10,  
27 inclusive,

28 Defendants.

Case No. 3:12-cv-05270-RS

**JOINT STIPULATION TO CONTINUE  
DISCOVERY CUTOFF; [~~PROPOSED~~]  
ORDER**

Dept.: Courtroom 3, SF

The Honorable Richard Seeborg

Complt. Filed: August 17, 2012

**STIPULATION**

Plaintiff Abdullah Byanooni and Defendants Merrill Lynch, Pierce, Fenner & Smith, Inc.; Bank of America Corporation (collectively “the parties”), by and through their respective attorneys of record, agree and stipulate as follows:

WHEREAS, the parties attended a Case Management Conference in this matter on January 17, 2013;

WHEREAS, following the Case Management Conference, the Court issued a Scheduling Order providing (1) that the parties shall complete all non-expert discovery pertaining to class certification on or before March 29, 2013; and (2) setting a hearing on class certification for September 29, 2013.

WHEREAS, the parties have agreed to engage in early mediation in March 2013 and desire to do so without the cost and burden of simultaneously pursuing formal discovery and motion practice;

WHEREAS, the parties have met and conferred and agree to extend the deadline for all non-expert discovery pertaining to class certification from March 29, 2013 to August 1, 2013.

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**[PROPOSED] ORDER**

Based on the above stipulation of the Parties, this Court hereby orders:

1. All non-expert discovery pertaining to class certification shall be completed by the parties on or before August 1, 2013.
2. All discovery related deadlines shall be set per Code based off the August 1, 2013 cutoff.

**SO ORDERED:**

DATED: 1/28, 2013



RICHARD SEEBORG  
United States District Judge